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THIRTY-SECOND LEGISLATIVE DAY
THURSDAY, FEBRUARY 11, 2010

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 11:30 a.m.

Roll call showed all members present except Senators Corder, Davis, and Malepeai, absent and formally excused by the Chair.

Prayer was offered by Chaplain Montie Ralstin.

The Pledge of Allegiance was led by Danni Petersen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 10, 2010, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 11, 2010

The JUDICIARY AND RULES Committee reports that [S 1334](#), [S 1335](#), [S 1336](#), [S 1337](#), and [S 1338](#) have been correctly printed.

DARRINGTON, Chairman

[S 1334](#) was referred to the Commerce and Human Resources Committee.

[S 1335](#) was referred to the Health and Welfare Committee.

[S 1336](#) and [S 1337](#) were referred to the Transportation Committee.

[S 1338](#) was referred to the Education Committee.

February 10, 2010

The STATE AFFAIRS Committee reports it has had under consideration the Gubernatorial appointment listed below and the Committee recommends that said appointment be confirmed by the Senate:

Richelle Sugiyama to the Idaho Endowment Fund Investment Board, term to expire April 11, 2013.

MCKENZIE, Chairman

The Gubernatorial appointment was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

February 11, 2010

The HEALTH AND WELFARE Committee reports out [H 451](#), [H 452](#), [H 453](#), and [S 1321](#) with the recommendation that they do pass.

LODGE, Chairman

[H 451](#), [H 452](#), [H 453](#), and [S 1321](#) were filed for second reading.

February 10, 2010

The JUDICIARY AND RULES Committee reports out [H 443](#) with the recommendation that it do pass.

DARRINGTON, Chairman

[H 443](#) was filed for second reading.

February 11, 2010

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 382](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

HILL, Chairman

There being no objection, [H 382](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 10, 2010

Dear Mr. President:

I transmit herewith Enrolled [H 379](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 379](#) and ordered it returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

The President Pro Tempore announced that [HP 3](#) was before the Senate for final consideration, the question being, "Shall the proclamation be adopted?"

On motion by Senator Bock, seconded by Senator Fulcher, [HP 3](#) was adopted by voice vote, title was approved, and the proclamation ordered returned to the House.

The President Pro Tempore announced that the Judiciary and Rules Committee report relative to the Gubernatorial appointment of Howard Glen (J.R.) VanTassel, Jr. was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Stegner, seconded by Senator Werk, the Gubernatorial appointment of Howard Glen (J.R.) VanTassel,

Jr. as a member of the State Board of Correction was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President Pro Tempore announced that the Resources and Environment Committee report relative to the Gubernatorial appointment of Jean S. McDevitt was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Bilyeu, seconded by Senator Lodge, the Gubernatorial appointment of Jean S. McDevitt as a member of the Park and Recreation Board was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Lodge, granted by unanimous consent, the Gubernatorial appointment of Tammy Perkins to the State Board of Health and Welfare was returned to the Health and Welfare Committee.

The President Pro Tempore announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Joy Fisher was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Lodge, seconded by Senator Werk, the Gubernatorial appointment of Joy Fisher as a member of the Public Employee Retirement System of Idaho was confirmed by voice vote.

The President Pro Tempore declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1339

BY HEALTH AND WELFARE COMMITTEE AN ACT

RELATING TO HOSPITAL LICENSES AND INSPECTION; AMENDING SECTION 39-1301, IDAHO CODE, TO DEFINE A TERM; AMENDING CHAPTER 13, TITLE 39, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 39-1301C, IDAHO CODE, TO PROVIDE FOR DEEMED STATUS OF A HOSPICE AGENCY AND ITS HOSPICE HOME AND TO REQUIRE NO IDAHO LICENSE OR CERTIFICATION.

S 1340

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO CIVIL ACTIONS; AMENDING SECTION 5-311, IDAHO CODE, TO REFERENCE A CODE SECTION IN RELATION TO THE DEFINITION OF A TERM, TO

PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 5-327, IDAHO CODE, TO PROVIDE FOR THE CONTINUATION OF CERTAIN CAUSES OF ACTION RELATING TO PERSONAL INJURY OR PROPERTY DAMAGE UPON THE DEATH OF THE INJURED PERSON, TO LIMIT DAMAGES AND TO PROVIDE FOR THE COMMENCEMENT OR CONTINUATION OF SUCH ACTIONS BY THE DECEDENT'S PERSONAL REPRESENTATIVE OR HEIRS.

S 1341

BY JUDICIARY AND RULES COMMITTEE AN ACT

RELATING TO INJURY TO CHILDREN; AMENDING SECTION 18-1501, IDAHO CODE, TO REVISE A MAXIMUM SENTENCE.

S 1342

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-603, IDAHO CODE, TO AUTHORIZE THE DEPARTMENT OF FISH AND GAME TO REQUIRE SPECIFIED LICENSEES TO MAINTAIN CERTAIN RECORDS, TO PROVIDE THAT LICENSEES PURCHASING RAW BLACK BEAR SKINS, RAW COUGAR SKINS OR PARTS OF BLACK BEARS OR COUGARS MAY BE REQUIRED TO MAINTAIN CERTAIN RECORDS AND TO PROVIDE THAT THE DEPARTMENT MAY REQUIRE LICENSEES TO SUBMIT CERTAIN FORMS OR RECORDS TO THE DEPARTMENT RELATING TO BLACK BEARS AND COUGARS.

S 1343

BY RESOURCES AND ENVIRONMENT COMMITTEE AN ACT

RELATING TO IDAHO WORKING LANDS; TO PROVIDE LEGISLATIVE INTENT; AND AMENDING TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW CHAPTER 92, TITLE 67, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE TERMS, TO PROVIDE FOR THE WORKING LANDS FUND, TO PROVIDE FOR THE WORKING LANDS FUND COMMITTEE, TO PROVIDE FOR ADMINISTRATIVE COSTS, TO PROVIDE FOR THE PURPOSES FOR WHICH GRANTS MAY BE AWARDED AND TO REQUIRE PROJECT SPONSORS TO MATCH FUNDS GRANTED FOR EACH PROJECT.

[S 1339](#), [S 1340](#), [S 1341](#), [S 1342](#), and [S 1343](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1248](#), [S 1250](#), [S 1251](#), and [S 1323](#), by Commerce and Human Resources Committee, were read the second time at length and filed for third reading.

[H 397](#), by Transportation and Defense Committee, was read the second time at length and filed for third reading.

[H 412](#), [H 413](#), and [H 437](#), by State Affairs Committee, were read the second time at length and filed for third reading.

[S 1305](#), by Education Committee, was read the second time at length and filed for third reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Stegner, seconded by Senator Werk, by voice vote, the Senate adjourned at 12:06 p.m. until the hour of 11 a.m., Friday, February 12, 2010.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary